

The Honorable Robert A. Jones

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JANIS PEDERIS BRIEDIS, JIL LISA  
PETERSON-BRIEDIS, and SAMBODHA,  
INC., a Washington corporation,

Plaintiffs,

v.

ROBERT J. SCOFIELD, also known as BE  
SCOFIELD,

Defendant.

No. 2:19-cv-01494-RAJ

DEFENDANT'S ANSWER TO  
FIRST AMENDED COMPLAINT

JURY TRIAL DEMANDED

For her answer to Plaintiffs' First Amended Complaint, Defendant Be Scofield admits,  
denies and alleges as follows:

**I. PARTIES**

1. Plaintiffs Janis Briedis and Jil Peterson-Briedis are individuals, married to each other, residing in Orcas Island, San Juan County, Washington. They bring this action in response to the false and defamatory article, "Aravindan Himdara and the Mysterious Orcas Island Death of Carla Jean Shaffer" ("the Article"), that Defendant authored regarding Plaintiffs and published on the Internet, which damages Plaintiffs' reputations, places them in a false light, unreasonably intrudes upon their seclusion, and otherwise causes them injury. A true and accurate copy of the Article is attached hereto as Exhibit A.

**ANSWER:** Defendant admits plaintiffs Janis Briedis and Jil Peterson-Briedis are married individuals residing in Orcas Island, San Juan County, Washington. Defendant admits

1 she authored the Article attached to the First Amended Complaint as Exhibit A, and that she  
 2 posted the Article on the Internet. Defendant denies the remaining allegations in paragraph 1.

3  
 4 2. Plaintiff Sambodha, Inc., is a corporation owned and operated by Plaintiff Janis  
 5 Briedis with its principal place of business in Orcas Island, San Juan County, Washington. It  
 6 brings this action in response to the Article authored by Defendant regarding Plaintiffs and  
 7 published on the Internet which damages Plaintiff Sambodha, Inc.'s reputation in its industry,  
 8 places it in a false light, and otherwise causes it injury.

9 **ANSWER:** Defendant admits plaintiff Sambodha, Inc. has its principal place of  
 10 business in San Juan County, Washington. Defendant lacks information sufficient to admit or  
 11 deny the owner or operator of Sambodha, Inc. Defendant denies the remaining allegations in  
 12 paragraph 2.

13  
 14 3. Defendant Robert J. Scofield, also known as Be Scofield, is an individual, who  
 15 authored and published the Article on the Internet with the explicit and malicious intent to harm  
 16 Plaintiffs. The Article was published on a website operated by Defendant, and is located at the  
 17 following URL: [https://gurumag.com/aaravindha-himadra-and-the-mysterious-orcas-island-](https://gurumag.com/aaravindha-himadra-and-the-mysterious-orcas-island-death-of-carla-jean-shaffer)  
 18 [death-of-carla-jean-shaffer](https://gurumag.com/aaravindha-himadra-and-the-mysterious-orcas-island-death-of-carla-jean-shaffer).

19 **ANSWER:** Defendant denies her name is Robert J. Scofield. Defendant admits she  
 20 published the Article on the Internet at [https://gurumag.com/aaravindha-himadra-and-the-](https://gurumag.com/aaravindha-himadra-and-the-mysterious-orcas-island-death-of-carla-jean-shaffer)  
 21 [mysterious-orcas-island-death-of-carla-jean-shaffer](https://gurumag.com/aaravindha-himadra-and-the-mysterious-orcas-island-death-of-carla-jean-shaffer). Defendant denies the remaining  
 22 allegations in paragraph 3.

## 23 24 II. JURISDICTION AND VENUE

25 4. This Court has subject matter jurisdiction under Rev. Code Wash. § 2.08.010.

26 **ANSWER:** Defendant admits the Court has subject matter jurisdiction.

1           5.       This Court has personal jurisdiction because, upon information and belief,  
2 Defendant allegedly, personally researched the Article in Washington State and because the  
3 Article has been read by individuals throughout San Juan County and the State of Washington  
4 and because the harm caused by the Article was directed at Plaintiffs and because the Article in  
5 fact causes harm to Plaintiffs.

6           **ANSWER:** Defendant admits she researched the article in Washington State.  
7 Defendant lacks information sufficient to admit or deny whether individuals in San Juan  
8 County or the State of Washington read the article and therefore denies the same. Defendant  
9 denies the remaining allegations and legal conclusions in paragraph 5.

10  
11           6.       Venue is proper in this Court under Rev. Code Wash. § 4.12.020 and/or CR  
12 82(a)(3).

13           **ANSWER:** Defendant admits venue is proper.

14  
15                                   **III.    FACTUAL ALLEGATIONS**

16           7.       On or about January 24, 2018, Defendant Scofield published the Article with the  
17 malicious intent of harming Plaintiffs.

18           **ANSWER:** Defendant denies the allegations in paragraph 7. Defendant further states  
19 she published the Article on or about January 24, 2019.

20  
21           8.       The Article maliciously and falsely accuses Plaintiff Janis Briedis of, among  
22 other things, being a cult leader, sexual predator, and murderer, and engaging in abusive and  
23 criminal behavior, and other acts of moral turpitude.

24           **ANSWER:** Defendant denies the allegations in paragraph 8.

1           9.       The Article also maliciously and falsely accuses Plaintiff Jil Peterson-Briedis  
2 and Plaintiff Sambodha, Inc. of being somehow involved in or complicit with those criminal  
3 acts and other immoral behavior.

4           **ANSWER:** Defendant denies the allegations in paragraph 9.

5  
6           10.     The Article purports to be the result of an inadvertent investigation by  
7 Defendant of incidents occurring on or around the years 2005 and 2006 related to horrific  
8 injuries to and the untimely death of an Orcas Island resident named Carla Jean Shaffer.  
9 Despite the incidents being officially investigated by law enforcement and declared self-  
10 inflicted/suicide, Defendant inappropriately and misleadingly characterizes Ms. Shaffer's death  
11 as "unsolved."

12           **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
13 adequately or accurately described it. Defendant denies the allegations in paragraph 10.

14  
15           11.     Throughout the Article, Defendant utilizes a litany of hearsay from various  
16 sources, many of whom are unidentified, and fragmented quotes to accuse Plaintiffs of causing  
17 Ms. Shaffer's violent injuries and ultimate death. Defendant fails to mention that Plaintiffs  
18 Janis Briedis and Jil Peterson-Briedis were visiting Europe at the time of Ms. Shaffer's self-  
19 inflicted attack.

20           **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
21 adequately or accurately described it. Defendant denies the allegations in paragraph 11.

22  
23           12.     Through inference and intentional verbal maneuvering throughout the Article,  
24 Defendant characterizes Plaintiffs as a "cult" and falsely accuses them of physically injuring,  
25 sexually assaulting, and eventually murdering Ms. Shaffer.

26           **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
27 adequately or accurately described it. Defendant denies the allegations in paragraph 12.

13. The Article also includes seven (7) photographs of Plaintiff Janis Briedis, which are used without his consent.

**ANSWER:** Defendant admits the Article contains photographs of Plaintiff Janis Briedis. Defendant denies the remaining allegations in paragraph 13.

14. Plaintiffs are well respected, kind, non-violent, productive and positive members of society who have dedicated their careers to helping others live happier and more mindful lives.

**ANSWER:** Defendant lacks information sufficient to admit or deny the allegations in paragraph 14 and therefore denies them.

15. The Article is abusive, harassing, derogatory, and defamatory, and was published with the specific intent to ruin Plaintiffs' personal and professional reputations and otherwise injure Plaintiffs.

**ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have adequately or accurately described it. Defendant denies the allegations in paragraph 15.

16. As a result of Defendant's actions in authoring and publishing the Article, Plaintiff have been irreparably harmed and continue to be harmed.

**ANSWER:** Defendant denies the allegations in paragraph 16.

#### **IV. CAUSES OF ACTION**

##### **Count I: Defamation – Libel and Libel Per Se**

17. Plaintiffs repeat and reallege each and every allegation contained above and below as though fully set forth herein.

1       **ANSWER:** Defendant re-alleges her responses in paragraphs 1-16 as fully set forth  
2 herein.

3  
4       18. Defendant intentionally and maliciously authored and published the Article  
5 regarding Plaintiffs, which among other things falsely accuses them of criminal activity and  
6 other acts of moral turpitude.

7       **ANSWER:** Defendant admits she intentionally published the Article. The Article  
8 speaks for itself. Defendant denies that Plaintiffs have adequately or accurately described it.  
9 Defendant denies any remaining allegations in paragraph 18.

10  
11       19. Defendant authored and published the Article without privilege or authorization.

12       **ANSWER:** Defendant denies the allegations in paragraph 19.

13  
14       20. The Article is false and defamatory because it does not describe real events that  
15 actually occurred. Plaintiffs are not engaged in cult activity, nor do they participate in abusive  
16 or criminal behavior. They were not responsible for and were in no way involved with the  
17 injuries and ultimately death of Carla Jean Shaffer.

18       **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
19 adequately or accurately described it. Defendant lacks information regarding Plaintiffs'  
20 understanding of "cult activity," and lacks information sufficient to admit or deny whether  
21 plaintiffs participate in abusive or criminal behavior, and whether they were involved with the  
22 death of Carla Jean Shaffer, and Defendant therefore denies those allegations. Defendant  
23 denies any remaining allegations in paragraph 20.

24  
25       21. The Article constitutes libel per se as it exposes Plaintiffs to hatred, contempt,  
26 ridicule or obloquy, deprives them of the benefit of public confidence or social intercourse, and  
27 injures them in their business, trade, and profession.

1       **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
2 adequately or accurately described it. Defendant denies the allegations in paragraph 21.

3  
4       22. Upon information and believe [sic], Defendant acted with actual malice in  
5 authoring and publishing the Article because the statements made, and impressions created by  
6 the Article are false and Defendant acted with reckless disregard as to their falsity. Upon  
7 information and belief, the Article was specifically published for the purpose of damaging  
8 Plaintiffs' reputation and injuring them in their trade, business and profession.

9       **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
10 adequately or accurately described it. Defendant denies the allegations in paragraph 22.

11  
12       23. Upon information and belief, the Article was read by residents of San Juan  
13 Count and the State of Washington.

14       **ANSWER:** Defendant lacks information sufficient to admit or deny the allegations in  
15 paragraph 23 and therefore denies the same.

16  
17       24. As a direct and proximate result of the Article's publication, Plaintiffs have  
18 suffered significant reputational harm, shame, mortification and injury to their feelings, and  
19 they have sustained special and general damages, which damages shall be fully proven at the  
20 time of trial, including, but not limited to, loss of capital and revenue, lost productivity,  
21 mitigation and other expenses, and loss of intangible assets.

22       **ANSWER:** Defendant denies the allegations in paragraph 24.

23  
24       25. Plaintiffs request a permanent injunction halting the continued dissemination of  
25 the Article, and further ordering Defendant to remove the Article from the Internet and request  
26 Google, Bing, Yahoo! and other search engine providers to remove the Article from their  
27 respective search results. Without a permanent injunction judgment of this Court, the Article

1 will continue to cause great and irreparable injury to Plaintiffs. Plaintiffs have no adequate  
2 remedy at law for injuries that they are currently suffering and are likely to suffer as a result of  
3 the Article and the false and defamatory statements contained therein.

4 **ANSWER:** Paragraph 25 contains a prayer and legal conclusions that do not require a  
5 response. To the extent paragraph 25 contains factual allegations requiring a response,  
6 Defendant denies the allegations in paragraph 25.

7  
8 **Count II: False Light Invasion of Privacy**

9 26. Plaintiffs repeat and reallege each and every allegation contained above and  
10 below as though fully set forth herein.

11 **ANSWER:** Defendant re-alleges her responses in paragraphs 1-25 as fully set forth  
12 herein.

13  
14 27. Defendant authored and published the Article that has placed Plaintiffs in a false  
15 light, including but not limited to falsely accusing them of assault, murder and other acts of  
16 moral turpitude.

17 **ANSWER:** Defendant admits she authored and published the Article. The Article  
18 speaks for itself. Defendant denies that Plaintiffs have adequately or accurately described it.  
19 Defendant denies any remaining allegations in paragraph 27.

20  
21 28. Defendant authored and published the Article without privilege or authorization.

22 **ANSWER:** Defendant denies the allegations in paragraph 28.

23  
24 29. The Article authored and published by Defendant would be highly offensive to a  
25 reasonable person and continues to be highly offensive to Plaintiffs, because the Article  
26 unreasonably attack Plaintiffs' conduct and character in a manner that exceeds the bounds of  
27 decency.



1       **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
2 adequately or accurately described it. Defendant denies the allegations in paragraph 29.

3  
4       30. Defendant knew that many of the statements made in and impressions created by  
5 the Article are false or Defendant acted with reckless disregard as to their falsity.

6       **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
7 adequately or accurately described it. Defendant denies the allegations in paragraph 30.

8  
9       31. The Article places Plaintiffs in a false light and was intended to and has caused  
10 Plaintiffs ongoing mental anguish, suffering, and injury to their feelings.

11       **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
12 adequately or accurately described it. Defendant denies the allegations in paragraph 31.

13  
14       32. As a direct and proximate result of the publication of the Article, Plaintiffs have  
15 suffered significant reputational harm, shame, mortification and injury to their feelings and  
16 sustained special and general damages, which damages shall be fully proven at the time of trial,  
17 including, but not limited to, loss of capital and revenue, lost productivity, mitigation and other  
18 expenses, and loss of intangible assets.

19       **ANSWER:** Defendant denies the allegations in paragraph 32.

20  
21       33. Plaintiffs request a permanent injunction halting the continued dissemination of  
22 the Article described herein, and further ordering Defendant to remove the Article from the  
23 Internet and request Google, Bing, Yahoo! and other search engine providers to remove the  
24 Article from their respective search results. Without a permanent injunction judgment of this  
25 Court, the Article will continue to cause great and irreparable injury to Plaintiffs and Plaintiffs  
26 have no adequate remedy at law for injuries that they are currently suffering and are likely to  
27 suffer as a result of the Article.

1        **ANSWER:** Paragraph 33 contains a prayer and legal conclusions that do not require a  
2 response. To the extent paragraph 33 contains factual allegations requiring a response,  
3 Defendant denies the allegations in paragraph 33.

4  
5        **Count III: Intrusion Invasion of Privacy**

6        34.        Plaintiffs repeat and reallege each and every allegation contained above and  
7 below as though fully set forth herein.

8        **ANSWER:** Defendant re-alleges her responses in paragraphs 1-33 as fully set forth  
9 herein.

10  
11        35.        Defendant intentionally intruded upon the seclusion and private affairs of  
12 Plaintiffs through a course of conduct, as described above, which seriously alarms, annoys and  
13 harasses Plaintiffs.

14        **ANSWER:** Defendant denies the allegations in paragraph 35.

15  
16        36.        Defendant's intrusion identified the Plaintiffs and has been substantial.

17        **ANSWER:** Defendant denies the allegations in paragraph 36.

18  
19        37.        Defendant's intrusion would be highly offensive to a reasonable person.

20        **ANSWER:** Defendant denies the allegations in paragraph 37.

21  
22        38.        Defendant's intrusion is intended to and has caused Plaintiffs ongoing mental  
23 anguish and suffering and injury to their feelings.

24        **ANSWER:** Defendant denies the allegations in paragraph 38.

25  
26        39.        As a direct and proximate result of Defendant's conduct described herein,  
27 Plaintiffs have suffered significant reputational harm, shame, mortification and injury to his

1 feelings and sustained special and general damages, which damages shall be fully proven at the  
2 time of trial, including, but not limited to, loss of capital and revenue, lost productivity,  
3 mitigation and other expenses, and loss of intangible assets.

4 **ANSWER:** Defendant denies the allegations in paragraph 39.

5  
6 40. Plaintiffs request a permanent injunction halting the continued and repeated  
7 intrusions upon their seclusion described herein, and further ordering Defendant to remove the  
8 Article from the Internet and request Google, Bing, Yahoo! and other search engine providers  
9 to remove the Article from their respective search results. Without a permanent injunction  
10 judgment of this Court, the Article will continue to cause great and irreparable injury to  
11 Plaintiffs and Plaintiffs have no adequate remedy at law for injuries that they are currently  
12 suffering and are likely to suffer as a result of Defendant's conduct alleged herein.

13 **ANSWER:** Paragraph 40 contains a prayer and legal conclusions that do not require a  
14 response. To the extent paragraph 40 contains factual allegations requiring a response,  
15 Defendant denies the allegations in paragraph 40.

16  
17 **Count IV: Injurious Falsehood**

18 41. Plaintiffs repeat and reallege each and every allegation contained above and  
19 below as though fully set forth herein.

20 **ANSWER:** Defendant re-alleges her responses in paragraphs 1-41 as fully set forth  
21 herein.

22  
23 42. Defendant authored and published the Article with the intent to cause harm to  
24 Plaintiff Sambodha Inc.

25 **ANSWER:** Defendant admits she authored and published the Article. The Article  
26 speaks for itself. Defendant denies that Plaintiffs have adequately or accurately described it.  
27 Defendant denies any remaining allegations in paragraph 42.

43. Defendant authored and published the Article with actual knowledge of the falsity or reckless disregard as to the falsity of the statements contained therein.

**ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have adequately or accurately described it. Defendant denies the allegations in paragraph 43.

44. Defendant authored and published the Article intentionally, spitefully and with ill will towards Plaintiff Sambodha, Inc.

**ANSWER:** Defendant admits she intentionally authored and published the Article. Defendant denies the remaining allegations in paragraph 44.

45. As a direct and proximate result of Defendant's conduct described herein, Plaintiff Sambodha, Inc. has suffered significant reputational harm and sustained special and general damages, which damages shall be fully proven at the time of trial, including, but not limited to, loss of capital and revenue, lost productivity, mitigation and other expenses, and loss of intangible assets.

**ANSWER:** Defendant denies the allegations in paragraph 45.

46. Plaintiff Sambodha Inc. requests a permanent injunction halting the continued dissemination of the Article, and further ordering Defendant to remove the Article from the Internet and request Google, Bing, Yahoo! and other search engine providers to remove the Article from their respective search results. Without a permanent injunction judgment of this Court, the Article will continue to cause great and irreparable injury to Plaintiff and Plaintiff has no adequate remedy at law, for injuries that it is currently suffering and is likely to suffer as a result of Defendant's conduct alleged herein.

1       **ANSWER:** Paragraph 46 contains a prayer and legal conclusions that do not require a  
2 response. To the extent paragraph 46 contains factual allegations requiring a response,  
3 Defendant denies the allegations in paragraph 46.  
4

5       **Count V: Tortious Interference**

6       47.     Plaintiffs repeat and reallege each and every allegation contained above and  
7 below as though fully set forth herein.

8       **ANSWER:** Defendant re-alleges her responses in paragraphs 1-46 as fully set forth  
9 herein.  
10

11       48.     Plaintiffs have existing business relationships with customers and other persons  
12 relating to their business.

13       **ANSWER:** Defendant lacks information sufficient to admit or deny the allegations in  
14 paragraph 48 and therefore denies the same.  
15

16       49.     Plaintiffs have a reasonable expectation of future professional relationships with  
17 existing customers, prospective customers, employees and others with whom Plaintiffs do  
18 business or with whom Plaintiffs may reasonably expect to do business. This expectancy is  
19 based, in part, on the considerable time, energy and resources it takes to develop the goodwill  
20 and reputation associated with Plaintiffs professional reputations.

21       **ANSWER:** Defendant lacks information sufficient to admit or deny the allegations in  
22 paragraph 49, and therefore denies the same.  
23

24       50.     Upon information and belief, Defendant was aware of Plaintiffs' existing and/or  
25 prospective professional and business relationships.

26       **ANSWER:** Defendant denies the allegations in paragraph 50.  
27

1           51. As described herein, Defendant intentionally and/or purposefully interfered with  
2 Plaintiffs' existing and prospective relationships by intentionally authoring and publishing the  
3 Article.

4           **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
5 adequately or accurately described it. Defendant denies the allegations in paragraph 51.  
6

7           52. Defendant communicated the Article of and concerning Plaintiffs to third  
8 persons via the Internet and/or intentionally made the Article accessible to third persons on the  
9 Internet without password protection.

10           **ANSWER:** Defendant admits she published the Article on the Internet, and that no  
11 password was required to view the Article. Defendant denies any remaining allegations in  
12 paragraph 52.  
13

14           53. Plaintiffs' damages include but are not limited to, general damages, economic  
15 damages such as lost profits, online remediation related costs, and out-of-pocket expenses,  
16 exemplary damages, court costs and interest.

17           **ANSWER:** Defendant denies the allegations in paragraph 53.  
18

19           54. Plaintiffs request a permanent injunction halting the continued dissemination of  
20 the Article, and further ordering Defendant to remove the Article from the Internet and request  
21 Google, Bing, Yahoo! and other search engine providers to remove the Article from their  
22 respective search results. Without a permanent injunction judgment of this Court, the Article  
23 will continue to cause great and irreparable injury to Plaintiffs and Plaintiffs have no adequate  
24 remedy at law for injuries that they are currently suffering and are likely to suffer as a result of  
25 Defendant's conduct alleged herein.  
26  
27

1        **ANSWER:** Paragraph 54 contains a prayer and legal conclusions that do not require a  
2 response. To the extent paragraph 54 contains factual allegations requiring a response,  
3 Defendant denies the allegations in paragraph 54.

4  
5        **Count VI: Intentional Infliction of Emotional Distress**

6        55.        Plaintiffs repeat and reallege each and every allegation contained above and  
7 below as though fully set forth herein.

8        **ANSWER:** Defendant re-alleges her responses in paragraphs 1-54 as fully set forth  
9 herein.

10  
11        56.        In authoring and publishing the Article, Defendant acted recklessly and with the  
12 intent to cause severe emotional distress to Plaintiffs.

13        **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
14 adequately or accurately described it. Defendant denies the allegations in paragraph 56.

15  
16        57.        Defendants [sic] conduct in authoring and publishing the Article was extreme  
17 and outrageous and resulted in severe emotional distress to Plaintiffs, beyond mere annoyance,  
18 inconvenience, and embarrassment.

19        **ANSWER:** The Article speaks for itself. Defendant denies that Plaintiffs have  
20 adequately or accurately described it. Defendant denies the allegations in paragraph 57.

21  
22        58.        As a result of Defendant's conduct, Plaintiffs have suffered damages including  
23 but not limited to, general damages, economic damages such as lost profits, online remediation  
24 related costs, and out-of-pocket expenses, exemplary damages, court costs and interest.

25        **ANSWER:** Defendant denies the allegations in paragraph 58.  
26  
27

59. Plaintiffs request a permanent injunction halting the continued dissemination of the Article, and further ordering Defendant to remove the Article from the Internet and request Google, Bing, Yahoo! and other search engine providers to remove the Article from their respective search results. Without a permanent injunction judgment of this Court, the Article will continue to cause great and irreparable injury to Plaintiffs and Plaintiffs have no adequate remedy at law for injuries that they are currently suffering and are likely to suffer as a result of Defendant's conduct alleged herein.

**ANSWER:** Paragraph 59 contains a prayer and legal conclusions that do not require a response. To the extent paragraph 59 contains factual allegations requiring a response, Defendant denies the allegations in paragraph 59.

#### **DEFENDANT'S AFFIRMATIVE DEFENSES**

60. Defendant asserts the following defenses without assuming any burden of proof as to any fact issue or other element of any cause of action that properly belongs to Plaintiffs. Defendant reserves the right to amend or supplement its defenses.

##### **First Affirmative Defense**

61. Plaintiffs fail to state a claim upon which relief can be granted.

##### **Second Affirmative Defense**

62. Plaintiffs' claims are barred in whole or in part by the failure to mitigate damages, if any.

#### **PRAYER FOR RELIEF**

WHEREFORE, having answered, as stated above, Defendant requests a judgment in its favor, as follows:

1. That Plaintiffs take nothing from their Complaint;
2. The claims set forth in Plaintiffs' First Amended Complaint be dismissed, in their entirety, with prejudice;



1           3.       The Court award such other relief as is just and proper under the circumstances.

2       DATED this 25th day of September, 2019.

3                               Davis Wright Tremaine LLP  
4                               Attorneys for Defendant

5                               By s/ Tim Cunningham  
6                               Tim Cunningham, WSBA # 50244  
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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 25th day of September, 2019.

Davis Wright Tremaine LLP  
Attorneys for Defendant

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